



## COMMUNITY DEVELOPMENT DEPARTMENT PLANNING DIVISION

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[www.newportbeachca.gov](http://www.newportbeachca.gov)

### CITY OF NEWPORT BEACH ZONING ADMINISTRATOR STAFF REPORT

November 28, 2012

Agenda Item 3

**SUBJECT:** Sweet Lady Jane Bakery MUP - (PA2012-138)  
3732 East Coast Highway  
▪ Minor Use Permit No. UP2012-024

**APPLICANT:** SLJ Bakeries, LLC

**PLANNER:** Benjamin M. Zdeba, Assistant Planner  
(949) 644-3253, bzdeba@newportbeachca.gov

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### ZONING DISTRICT/GENERAL PLAN

- **Zone:** CC (Commercial Corridor)
- **General Plan:** CC (Corridor Commercial)

### PROJECT SUMMARY

A minor use permit to convert 1,660 square feet of retail space to a food service, eating and drinking establishment, which will have an interior net public area of 280 square feet with 12 seats and an accessory outdoor dining area of 70 square feet with 8 seats. The proposed hours of operation are 7:00 a.m. to 10:00 p.m., Sunday through Wednesday and 7:00 a.m. to 11:00 p.m., Thursday through Saturday.

### RECOMMENDATION

- 1) Conduct a public hearing; and
- 2) Adopt Draft Zoning Administrator Resolution No. \_ approving Minor Use Permit No. UP2012-024 No. (Attachment No. ZA 1).

### DISCUSSION

- The existing building was constructed in the 1940s as a mixed-use development with 3,837 gross square feet of commercial on the first floor and two small residential units above.



- The current zoning and land use designation for the property do not permit residential uses; therefore, the two residential units on the second floor are considered a legal nonconforming use and can remain as is under Chapter 20.38 (Nonconforming Uses and Structures).
- The property was developed without on-site parking; therefore, it is also legal nonconforming due to parking.
- Pursuant to Chapter 20.38.060 (Nonconforming Parking), a nonconforming use in a nonresidential zoning district may be changed to a new use allowed in that zoning district without providing additional parking, provided no intensification or enlargement (e.g., increase in floor area, or lot area) occurs and the new use requires a parking rate of no more than one space per 250 square feet of gross building area.
- The entire commercial portion of the building has historically been occupied by John Blom Custom Photography until it recently changed ownership. The ground floor was subsequently divided into two separate commercial suites currently occupied by a palm reader and the Republican headquarters.
- The parking requirement for the current commercial uses is one parking space per 250 square feet of gross floor area.
- The proposed food service, eating and drinking establishment will occupy the current palm reader suite (1,660 square feet) which will be improved to have 1,140 square feet of kitchen and display area. The use will primarily operate as a retail bakery with an accessory café component to allow for on-site consumption. In addition to the kitchen and sales area, the suite will have 280 square feet of interior net public area with 12 seats, and 70 square feet of designated, accessory outdoor dining area with 8 seats. Since the accessory outdoor dining area is 25 percent of the interior net public area, no additional parking is required. Late hours and alcohol are not proposed as part of this application.
- Staff believes a parking requirement of one parking space per 40 square feet of net public area can be supported. With this ratio, the total number of parking spaces required ( $280 \text{ sq. ft.} / 40 \text{ sq. ft.} = 7 \text{ spaces}$ ) would be equal to the retail sales parking requirement ( $1,660 \text{ sq. ft.} / 250 \text{ sq. ft.} = 7 \text{ spaces}$ ) for the tenant suite and there is no intensification or enlargement of use.
- This use is allowed in the CC (Commercial Corridor) Zoning District and is similar to other uses in the Corona del Mar area that also lack required parking. These uses typically do not have negative impacts on the surrounding area and provide a service to the residents.

## **ENVIRONMENTAL REVIEW**

The project qualifies for a Class 1 (Existing Facilities) categorical exemption of the California Environmental Quality Act because it involves interior alterations to convert an existing retail space to a food service, eating and drinking establishment.

## **PUBLIC NOTICE**

Notice of this application was published in the Daily Pilot, mailed to all owners of property within 300 feet of the boundaries of the site (excluding intervening rights-of-way and waterways) including the applicant and posted on the subject property at least 10 days prior to the decision date, consistent with the provisions of the Municipal Code. Additionally, the item appeared on the agenda for this meeting, which was posted at City Hall and on the City website.

**APPEAL PERIOD:** An appeal may be filed with the Director of Community Development or City Clerk, as applicable, within fourteen (14) days following the date the action or decision was rendered unless a different period of time is specified by the Municipal Code (e.g., Title 19 allows ten (10) day appeal period for tentative parcel and tract maps, lot line adjustments, or lot mergers). For additional information on filing an appeal, contact the Planning Division at 949 644-3200.

Prepared by:

  
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Benjamin M. Zdeba  
Assistant Planner

GR/bmz

Attachments:	ZA 1	Draft Resolution
	ZA 2	Vicinity Map
	ZA 3	Applicant's Project Description and Justification
	ZA 4	Menu and Product List
	ZA 5	Project Plans

# **Attachment No. ZA 1**

Draft Resolution



## RESOLUTION NO. ZA2012-DRAFT

### **A RESOLUTION OF THE ZONING ADMINISTRATOR OF THE CITY OF NEWPORT BEACH APPROVING MINOR USE PERMIT NO. UP2012-024 FOR SWEET LADY JANE BAKERY, A FOOD SERVICE, EATING AND DRINKING ESTABLISHMENT LOCATED AT 3732 EAST COAST HIGHWAY (PA2012-138)**

THE ZONING ADMINISTRATOR OF THE CITY OF NEWPORT BEACH HEREBY FINDS AS FOLLOWS:

#### SECTION 1. STATEMENT OF FACTS.

1. An application was filed by Scott Laidlaw of LSArchitects on behalf of SLJ Bakeries, LLC, with respect to property located at 3732 East Coast Highway, and legally described as Lot 4, Block 'W', of Tract 323 requesting approval of a minor use permit.
2. The applicant proposes to convert 1,660 square feet of retail space to a food service, eating and drinking establishment, which will have an interior net public area of 280 square feet with 12 seats and an accessory outdoor dining area of 70 square feet with 8 seats. The proposed hours of operation are 7:00 a.m. to 10:00 p.m., Sunday through Wednesday and 7:00 a.m. to 11:00 p.m., Thursday through Saturday.
3. The subject property is located within the CC (Commercial Corridor) Zoning District and the General Plan Land Use Element category is CC (Corridor Commercial).
4. The subject property is not located within the coastal zone.
5. A public hearing was held on November 28, 2012 in the City Hall Council Chambers, 3300 Newport Boulevard, Newport Beach, California. A notice of time, place and purpose of the meeting was given in accordance with the Newport Beach Municipal Code. Evidence, both written and oral, was presented to, and considered by, the Planning Commission at this meeting.

#### SECTION 2. CALIFORNIA ENVIRONMENTAL QUALITY ACT DETERMINATION.

1. The project has been reviewed, and it qualifies for a categorical exemption pursuant to Section 15301 of the California Environmental Quality Act under Class 1 (Existing Facilities) of the Implementing Guidelines of the California Environmental Quality Act.
2. The Class 1 exemption includes the ongoing use of existing buildings where there is negligible or no expansion of use. The proposed project involves interior alterations to convert retail space to a food service, eating and drinking establishment. The existing space will be remodeled with approval of a tenant improvement building permit.

### SECTION 3. REQUIRED FINDINGS.

#### *Minor Use Permit*

In accordance with Section 20.52.020.F of the Newport Beach Municipal Code, the following findings and facts in support of the findings for a use permit are set forth:

#### Finding

A. *The use is consistent with the General Plan and any applicable specific plan.*

#### Facts in Support of Finding

1. The General Plan land use designation for this site is CC (Corridor Commercial), which is intended to provide a range of neighborhood-serving retail and service uses along street frontages that are located and designed to foster pedestrian activity. The proposed project is a food service, eating and drinking establishment to be located within an existing retail tenant space. This use is consistent with the General Plan Corridor Commercial (CC) land use designation, which allows these types of uses.
2. This type of use will not only serve the residents within the area, but will also serve visitors and commuters travelling on East Coast Highway. The proposed floor plan is designed such that the cake decorating occurs within the storefront window area in order to draw pedestrian traffic.
3. The subject property is not part of a specific plan area.

#### Finding

B. *The use is allowed within the applicable zoning district and complies with all other applicable provisions of this Zoning Code and the Municipal Code.*

#### Facts in Support of Finding

1. The site is located within the Commercial Corridor (CC) Zoning District of the Newport Beach Zoning Code. The intent of this district is to provide for areas appropriate to a range of neighborhood-serving retail and service uses along street frontages that are located and designed to foster pedestrian activity. The proposed food service, eating and drinking establishment is consistent with the land uses permitted within this zoning district and is designed such that it will encourage and draw pedestrian activity.
2. Pursuant to Section 20.20.020 (Table 2-5 Allowed Uses and Permit Requirements), the proposed project requires approval of a minor use permit, because it is located within 500 feet of the residential zoning district located north of the subject site. Late hours and/or alcohol are not proposed.

3. The proposed use complies with Section 20.48.090 (Eating and Drinking Establishments) relating to required operating standards, and conditions of approval are included in this approval to maintain those requirements.
4. The existing mixed-use development is considered nonconforming due to parking and use. Pursuant to Chapter 20.38.060 (Nonconforming Parking), a nonconforming use in a nonresidential zoning district may be changed to a new use allowed in that zoning district without providing additional parking, provided no intensification or enlargement (e.g., increase in floor area, or lot area) occurs and the new use requires a parking rate of no more than one space per 250 square feet of gross building area.
5. Section 20.40.060 (Parking Requirements for Food Service Uses) establishes criteria to determine the parking requirements for uses from one parking space for every 30 to 50 square feet of net public area. The proposed project has an interior net public area of 280 square feet with accessory outdoor dining of 70 square feet providing seating for a maximum of 20 customers. One (1) parking space for every 40 square feet of net public area is a reasonable number to require for the proposed use, given the operational characteristics. Based on the interior net public area of the proposed establishment, 7 parking spaces are required ( $280 \text{ sq. ft.} / 40 \text{ sq. ft.} = 7$ ). The accessory outdoor dining is excluded from the parking requirement since it is equal to 25 percent of the interior net public area.
6. The 1,660-square-foot retail space requires 7 parking spaces and the proposed food service, eating and drinking establishment requires 7 parking spaces; therefore, the project complies with Section 20.38.060 (Nonconforming Parking).

#### Finding

- C. *The design, location, size, and operating characteristics of the use are compatible with the allowed uses in the vicinity.*

#### Facts in Support of Finding

1. The proposed project involves interior alterations to convert an existing retail space within a nonconforming mixed-use development to a food service, eating and drinking establishment.
2. The proposed use will provide bakery products for retail sale and will provide seating for a maximum of 20 customers. The operational characteristics of the use are that of a food service, eating and drinking establishment, which is a common use in commercial buildings along East Coast Highway in Corona del Mar.

3. The hours of operation of the establishment will be between 7:00 a.m. to 10:00 p.m., Sunday through Wednesday and 7:00 a.m. to 11:00 p.m., Thursday through Saturday.
4. The proposed establishment will be located within an existing nonconforming mixed-use building in a nonresidential zoning district. Although it is located less than 500 feet of a residential district directly to the north (within approximately 25 feet), it is not facing the residential properties and is a level below the alley elevation. The orientation and grade differential provide screening and protection from view and any noise generated by the establishment. The applicant is also required to control trash and litter around the subject property.
5. The applicant is required to obtain Health Department approval prior to opening for business, and comply with the California Building Code to ensure the safety and welfare of customers and employees within the establishment.

#### Finding

- D. The site is physically suitable in terms of design, location, shape, size, operating characteristics, and the provision of public and emergency vehicle (e.g., fire and medical) access and public services and utilities.*

#### Facts in Support of Finding

1. The building has existed since the 1940s. The conversion of retail space to a food service, eating and drinking establishment will not negatively affect emergency access. The design, size, location, and operating characteristics of the use are compatible with the existing uses within the surrounding area.
2. Adequate public and emergency vehicle access, public services, and utilities are provided on-site and are accessed by way of the alley directly behind the site.
3. The tenant improvements to the project site will comply with all Building, Public Works, and Fire Codes. All ordinances of the City and all conditions of approval will be complied with.

#### Finding

- E. Operation of the use at the location proposed would not be detrimental to the harmonious and orderly growth of the City, or endanger, jeopardize, or otherwise constitute a hazard to the public convenience, health, interest, a safety, or general welfare of persons residing or working in the neighborhood of the proposed use.*

Facts in Support of Finding

1. The project has been reviewed and this approval includes conditions to ensure that potential conflicts with the surrounding land uses are minimized to the greatest extent possible. The operator is required to take reasonable steps to discourage and correct objectionable conditions that constitute a nuisance in parking areas, sidewalks, and areas surrounding the subject property and adjacent properties during business hours, if directly related to the patrons of the establishment.
2. The restrictions on seating and net public area prevent adverse traffic impacts for the surrounding residential and commercial uses.
3. The proposed food service, eating and drinking establishment will help revitalize the project site and provide an economic opportunity for the property owner to update the tenant space and provide additional services to the residents and visitors in the surrounding area.

## SECTION 4. DECISION.

**NOW, THEREFORE, BE IT RESOLVED:**

1. The Zoning Administrator of the City of Newport Beach hereby approves Minor Use Permit No. UP2012-024, subject to the conditions set forth in Exhibit A, which is attached hereto and incorporated by reference.
2. This action shall become final and effective fourteen days after the adoption of this Resolution unless within such time an appeal is filed with the Director of Community Development in accordance with the provisions of Title 20 Planning and Zoning, of the Newport Beach Municipal Code.

**PASSED, APPROVED AND ADOPTED THIS 28<sup>TH</sup> DAY OF NOVEMBER, 2012.**

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Brenda Wisneski, AICP, Zoning Administrator

**EXHIBIT "A"****CONDITIONS OF APPROVAL**Planning Division Conditions

1. The development shall be in substantial conformance with the approved site plan, floor plan(s) and building elevations dated with this date of approval. (Except as modified by applicable conditions of approval.)
2. This Minor Use Permit may be modified or revoked by the Zoning Administrator should they determine that the proposed uses or conditions under which it is being operated or maintained is detrimental to the public health, welfare or materially injurious to property or improvements in the vicinity or if the property is operated or maintained so as to constitute a public nuisance.
3. Any change in operational characteristics, hours of operation, expansion in area, or other modification to the approved plans, shall require an amendment to this Minor Use Permit or the processing of a new use permit.
4. Minor Use Permit No. UP2012-024 shall expire unless exercised within 24 months from the date of approval as specified in Section 20.54.060 (Time Limits and Extensions) of the Newport Beach Zoning Code, unless an extension is otherwise granted.
5. Should this business be sold or otherwise come under different ownership, any future owners or assignees shall be notified in writing of the conditions of this approval by the current owner or leasing company.
6. The project is subject to all applicable City ordinances, policies, and standards, unless specifically waived or modified by the conditions of approval.
7. The applicant shall comply with all federal, state, and local laws. Material violation of any of those laws in connection with the use may be cause for revocation of this Use Permit.
8. A copy of this resolution shall be incorporated into the Building Division and field sets of plans prior to issuance of the building permits.
9. The indoor net public area shall be limited to a maximum of 280 square feet and 12 seats.
10. The outdoor net public area shall be limited to a maximum of 70 square feet and 8 seats. If the adjacent tenant installs seating inside the courtyard area, said seating shall be for exclusive use of the adjacent tenant.

11. Prior to the issuance of building permits, improvement plans shall indicate how the outdoor dining area (70 square feet) will be delineated (e.g. paint).
12. The proposed food service, eating and drinking establishment, shall have a parking requirement of 1 space for every 40 square feet of net public area equaling a total of 7 parking spaces.
13. The hours of operation for the eating and drinking establishment are limited from 7:00 a.m. to 11:00 p.m., daily.
14. A covered wash-out area for refuse containers and kitchen equipment, with minimum useable area dimensions of 36 inches wide, 36 inches deep and 72 inches high, shall be provided, and the area shall drain directly into the sewer system, unless otherwise approved by the Building Manager and Public Works Director in conjunction with the approval of an alternate drainage plan.
15. No outside paging system shall be utilized in conjunction with this establishment.
16. All proposed signs shall conform to Title 20, Chapter 20.42 (Sign Standards) of the Newport Beach Municipal Code regulations or any sign program applicable to the property.
17. All trash shall be stored within the building or within dumpsters stored in the trash enclosure (three walls and a self-latching gate) or otherwise screened from view of neighboring properties, except when placed for pick-up by refuse collection agencies. The trash enclosure shall have a decorative solid roof for aesthetic and screening purposes. The trash dumpsters shall have a top, which shall remain closed at all times, except when being loaded or while being collected by the refuse collection agency.
18. The size, design, and location of trash enclosures shall be subject to the review and approval of the Public Works and Planning Division prior to issuance of building permits.
19. The exterior of the business shall be maintained free of litter and graffiti at all times. The owner or operator shall provide for daily removal of trash, litter debris and graffiti from the premises and on all abutting sidewalks within 20 feet of the premises.
20. Deliveries and refuse collection for the facility shall be prohibited between the hours of 10:00 p.m. and 8:00 a.m., daily, unless otherwise approved by the Community Development Director, and may require an amendment to this Use Permit.
21. Storage outside of the building in the front or at the rear of the property shall be prohibited, with the exception of the required trash container enclosure.
22. To the fullest extent permitted by law, applicant shall indemnify, defend and hold harmless City, its City Council, its boards and commissions, officials, officers, employees,

and agents from and against any and all claims, demands, obligations, damages, actions, causes of action, suits, losses, judgments, fines, penalties, liabilities, costs and expenses (including without limitation, attorney's fees, disbursements and court costs) of every kind and nature whatsoever which may arise from or in any manner relate (directly or indirectly) to City's approval of Sweet Lady Jane Bakery MUP including, but not limited to Minor Use Permit No. UP2012-024 (PA2012-138) and the determination that the project is exempt under the requirements of the California Environmental Quality Act. This indemnification shall include, but not be limited to, damages awarded against the City, if any, costs of suit, attorneys' fees, and other expenses incurred in connection with such claim, action, causes of action, suit or proceeding whether incurred by applicant, City, and/or the parties initiating or bringing such proceeding. The applicant shall indemnify the City for all of City's costs, attorneys' fees, and damages which City incurs in enforcing the indemnification provisions set forth in this condition. The applicant shall pay to the City upon demand any amount owed to the City pursuant to the indemnification requirements prescribed in this condition.

#### Building Division and Fire Department Conditions

23. Public sanitation facilities shall be available to the general public (patrons) during regular business hours of the operation, unless otherwise approved by the Building Division.
24. A building permit is required to allow the change in use to an eating and drinking establishment. The construction plans must comply with the most recent, City-adopted version of the California Building Code.
25. The applicant is required to obtain all applicable permits from the City Building and Fire Departments. The construction plans must comply with the most recent, City-adopted version of the California Building Code. The facility shall be designed to meet exiting and fire protection requirements as specified by the California Building Code and shall be subject to review and approval by the Building Division.
26. The construction plans must meet all applicable State Disabilities Access requirements.
27. Approval from the Orange County Health Department is required prior to the issuance of a building permit.
28. Complete sets of drawings including architectural, electrical, mechanical, and plumbing plans shall be required at plan check.
29. The rear doors of the facility shall remain closed at all times. The use of the rear door shall be limited to deliveries and employee use only. Ingress and egress by patrons is prohibited unless there is an emergency.
30. All exits shall remain free of obstructions and available for ingress and egress at all times.

31. A Type I hood shall be installed at or above all commercial cooking appliances used for commercial purposes that produce grease laden vapors. Each required commercial kitchen exhaust hood and duct system shall be protected with an approved automatic fire-extinguishing system.

#### Public Works Department Conditions

32. All improvements shall be constructed as required by Ordinance and the Public Works Department.
33. An encroachment permit is required for all work activities within the public right-of-way.
34. In case of damage done to public improvements surrounding the development site by the private construction, additional reconstruction within the public right-of-way could be required at the discretion of the Public Works Inspector.
35. Reconstruct the existing broken and/or otherwise damaged concrete sidewalk panels, curb and gutter along the East Coast Highway frontage.
36. A new sewer cleanout shall be installed on the existing sewer lateral with a traffic-grade box and cover per City Standard STD-406-L. Said sewer cleanout shall be located within the public right-of-way.

#### Revenue Department Conditions

37. A valid business license from the City of Newport Beach with sellers permit shall be required prior to start of business. Any contractors/subcontractors doing work at the subject site shall be required to obtain a valid business license from the City of Newport Beach prior to the commencement of any work on the subject site.



## **Attachment No. ZA 2**

Vicinity Map



# VICINITY MAP



Minor Use Permit No. UP2012-024  
PA2012-138

**3732 East Coast Highway**



## **Attachment No. ZA 3**

Applicant's Project Description and Justification



October 4, 2012

Community Development Department  
Planning Division  
3300 Newport Blvd.  
Newport Beach, CA 92663  
[www.newportbeachca.gov](http://www.newportbeachca.gov)

**RE: Project Description and Justification for Minor Conditional Use Permit for Sweet Lady Jane at 3732 E. Pacific Coast Hwy, Corona Del Mar**

As agent representing the ownership of Sweet Lady Jane Fine Desserts, I submit for your review this letter of justification with the attached Minor Conditional Use Permit application. Sweet Lady Jane is a retail storefront for the sale of bakery and patisserie dessert products. Attached is a package that describes in detail the character, look and feel of the company's existing operation/locations as well as the proposed operation for the Corona Del Mar location. As required by Zoning Code, food service within 500 feet of a residential area requires a MCUP.

The proposed location at 3732 E. Pacific Coast Hwy is an existing mixed use building with 3,837 gsf of commercial space on the ground floor and (2) living units above located within the CC zone. The previous building owner occupied the ground floor commercial space with a photography studio. The new building owner is currently completing a voluntary accessibility upgrade of the restrooms which will divide the ground floor commercial space into two suites. Sweet Lady Jane will occupy the northerly 1,660 gsf suite as delineated on the attached plans. Sweet Lady Jane will also share use of the existing 500 sf outdoor courtyard. As shown on the attached plan, Sweet Lady Jane will have an interior 280 sf net public area with additional 70 sf of outdoor seating. The area of outdoor seating will be adjacent to the exterior wall of the suite defined by raised planters and allowing for required access/egress to the building. While the existing building has no off-street parking, we do not believe the proposed change in use constitutes an intensification of use from a parking perspective. The previous commercial use required 1 space/250 gsf of use. That would yield (7) spaces for 1660 sf of the previous use. Looking at the proposal for 20 seats, 7spaces x 3 seats/parking space = 21 seats with the additional allowance of a 25% increase for outdoor seating bringing the allowable seating to 26. If we analyze it from net public area the 280 sf/40sf per space would require (7) spaces equal to the (7) spaces allocated to the previous use. Practically, there is adequate off-street parking and/or pedestrian access for the proposed use. Based upon the Walker Parking Study from May of 2008, as shown on page 16 of the Parking Policy Plan, the subject block (Block 24) has a peak parking occupancy for weekdays of 46% and weekends of 48%. It has also been demonstrated in November of 2010 for a very similar use in the vicinity, Roses Bakery Café, that 48% of the patrons arrived on foot and another 8% by bicycle, further reducing the need for parking.

Given the attached description of the Sweet Lady Jane business model and proposed operation as well as the above parking analysis, I submit that: 1.) The use is consistent with the General Plan and any applicable specific plan; 2.) The use is allowed within the applicable zoning district and complies with all other applicable provisions of the Zoning Code and the Municipal Code; 3.) The design, location, size and operating characteristics of the use are compatible with the allowed uses in the vicinity; 4.) The site is physically suitable in terms of design, location, shape, size, operating characteristics, and the provision of public and vehicle access and public services and utilities; and 5.) Operation of the use at the location would not be detrimental to the harmonious and orderly growth of the City, or endanger, jeopardize, or otherwise constitute a hazard to the public convenience, health, interest, safety, or general welfare of persons residing or working in the neighborhood.

Therefore, I ask that you review and approve the subject Minor Conditional Use Permit application. Thank you in advance for your review of the application and do not hesitate to contact me with any questions.

Sincerely,

A handwritten signature in black ink, appearing to read 'Scott Laidlaw', with a stylized, flowing script.

Scott Laidlaw  
**Laidlaw Schultz Architects**

cc: Daniel Mafrice, Joe Alguire

attachments:

Planning Permit Application

(8) sets of full-size plans

(1) set of reduced plans

Sample menu

Owner provided description of operation

Title Report

Excerpt from Walker Parking Study

Mailing labels

## **Attachment No. ZA 4**

Menu and Product List



# Lunch Menu

11:30am - 2:30pm Daily



8360 Melrose Avenue  
Los Angeles, CA 90069

PHONE: 323-653-7145

## Sandwiches

Half Sandwich - \$6.50

Full Sandwich - \$10.50

Select from lettuce, tomato, dijon mustard and mayo, on your choice of our own fresh baked Rosemary, Walnut Wheat, Swedish Rye, or Sourdough

*Roast Turkey Breast* - baked with our own blend of spices, fresh in our ovens

*Curried Chicken Salad* - all white meat in a light curry seasoning with raisins

*Albacore Tuna Salad* - the old fashioned way, with lemon juice, scallions and a touch of mayo

*Gruyere Cheese* - imported gruyere cheese sliced by hand, grilled and topped with sauteed red and green peppers and onions

*Grilled Cheese* - we melt a rich cheddar cheese and a slice of tomato between buttered slices of our artisan bread

## Salads

Salad du Jour - \$7.50

We prepare our salads fresh every day. Served with a rosemary or wheat roll.

*Sweet Lady Jane Salad* - greens, jicama, cucumber, kidney beans, cherry tomatoes, gorgonzola, olives, green onions and quinoa

*Salad du Jour* - please ask about our salad of the day

## Soup

Soup du Jour - \$5.50

Our soups are prepared from the freshest ingredients daily. Served with a rosemary or wheat roll.

*Light Lunch Combinations* - \$10.50

*Half Sandwich and Small Salad du Jour*

*Half Sandwich and Soup du Jour*

*Soup and Small Salad*



## *Breads*

ROLL - 95¢ • SM - \$5.00  
BATTARD - \$6.00 • LRG - \$8.00

WALNUT WHEAT      FRENCH  
ROSEMARY      COUNTRY WHITE  
OLIVE      SOURDOUGH  
RYE

CHALLAH (LRG - \$9.00)  
CHEDDAR CHEESE (ROLL \$1)  
BAGUETTE - \$3.00

## *Specialty Items*

EACH - \$7.50

CHOCOLATE TACO  
WHITE CHOCOLATE JANOLI  
HAZELNUT MOUSSE CUP  
RASPBERRY MOUSSE CUP  
STRAWBERRY NAPOLEANS  
APPLE TURNOVER

BOBKA      MARBLE BRICK  
\$11.50 EACH      \$8.50 EACH

FLAN - \$48  
TIRAMISU - \$75  
BREAD PUDDING - \$48  
APPLE TARTE TATIN - \$65  
ENGLISH TRIFLE - \$75

## *Treats*

EACH - \$2

CREAM CHEESE PUFF  
DATE OATMEAL BAR  
LEMON BAR  
BROWNIE W/ NUTS  
FLORENTINES

BISCOTTI - \$1.25  
MANDELBROD - \$1.25  
SEA SALT BROWNIE - \$1.00  
BROWN SUGAR SHORTBREAD - 85¢  
RASPBERRY WALNUT RUGALAH - 85¢  
CHOCOLATE RUGALAH - 95¢

## *Cookies*

EACH - \$2.50

CHOCOLATE CHIP CHERRY  
CHOCOLATE CHIP PECAN  
OATMEAL RASIN W/ WALNUTS  
PEANUT BUTTER CHOCOLATE CHIP  
TRIPLE CHOCOLATE CHUNK

CHOCOLATE PILLOW - \$4  
GINGERBREAD - \$3  
LINZER - \$2  
NUTELLA - \$1  
MEXICAN WEDDING - \$1.25

## *Beverages*

COFFEE

SM \$1.25 • MED \$1.65 • LRG \$1.95

FRENCH PRESS COFFEE (DINE IN ONLY)  
SM \$3.00 • LRG \$6.00

ESPRESSO

SINGLE \$2.25

DOUBLE \$3.50 • TRIPLE \$4.50

CAPPUCINO

SM \$3.00 • MED \$4.00 • LRG \$5.00

REGULAR LATTE

SM \$3.00 • MED \$4.00

MOCHA LATTE

SM \$3.25 • MED \$4.25

HOT TEA - \$3.00

HOT CHOCOLATE - \$3.00

MILK - \$2

ORANGE JUICE - LRG \$2.50

ICED TEA - \$2.50

IZZE - \$3

LEMONADE - \$2.75

SODA - \$2.50

BOTTLED WATER (SPARKLING) - LRG \$2.50

BOTTLED WATER (FLAT) - LRG - \$1.50



## *Dessert Menu*

8360 Melrose Avenue  
Los Angeles, CA 90069

PHONE: 323-653-7145

MON-WED 7:30 AM-10:30 PM  
THUR-SAT 7:30 AM-11:30 PM  
SUNDAY 9:00 AM-9:00 PM  
LUNCH HOURS 11:30 AM-2:30 PM DAILY

1631 Montana Avenue  
Santa Monica CA 90403

PHONE: 310-254-9499

SUN-WED 6:30 AM-10:00 PM  
THUR-SAT 6:30 AM-11:00 PM  
LUNCH HOURS 11:00 AM-4:00 PM DAILY

WWW.SWEETLADYJANE.COM

## Layer Cakes

6" ROUND - \$37      1/4 SHEET - \$115  
 9" ROUND - \$57      1/3 SHEET - \$160  
 10" ROUND - \$67      1/2 SHEET - \$195  
 12" ROUND - \$110      3/4 SHEET - \$300  
 14" ROUND - \$150      FULL SHEET - \$385

CAKE WRITING - \$2

## Chocolate Cakes

ALMOND ROCCA  
 CHOCOLATE CANDIED ORANGE\*  
 BLACKOUT ESPRESSO FUDGE  
 MOCHA PRALINE  
 OLD FASHIONED CHOCOLATE  
 CHOCOLATE RASPBERRY  
 CHOCOLATE STRAWBERRY  
 GERMAN CHOCOLATE

FLOURLESS CHOCOLATE  
 DECADENCE (\$49 -9" ROUND ONLY)

## Yellow Cakes

COCONUT  
 DULCE DE LECHE  
 HAZELNUT MOUSSE  
 ITALIAN RUM WEDDING  
 LEMON CURD  
 ORANGE CHIFFON\*  
 PASSION FRUIT (W/APRICOT)  
 PRINCESS  
 RASPBERRY LEMON  
 SEVEN LAYER CHOCOLATE  
 SEVEN LAYER MOCHA  
 TRIPLE BERRY SHORTCAKE  
 WHITE CHOCOLATE LEMON  
 WHITE CHOCOLATE RASPBERRY

## Additional Flavors

CARROT  
 RED VELVET  
 SPICE  
 BANANAS AND CREAM\*  
 BLACK FOREST\*  
 OPERETTA\*

\* DENOTES SPECIAL ORDER  
 REQUIRES 48HR NOTICE

## Cheesecakes

SLICE- \$7.50 • 9" ROUND- \$48  
 MESSAGE WRITING - \$2

NEW YORK • OREO COOKIE  
 CHOCOLATE-VANILLA SWIRL • HAZELNUT  
 BROWNIE SUNDAE • CAPPUCCINO  
 RASPBERRY • WHITE CHOCOLATE  
 PRALINE • PUMPKIN

3" MINIS- \$7.50

NEW YORK • OREO COOKIE  
 BROWNIE SUNDAE • CAPPUCCINO  
 RASPBERRY • WHITE CHOCOLATE

WEDDINGS • BIRTHDAYS • HOLIDAYS  
 BABY SHOWERS • GRADUATIONS •  
 EVENTS • MOVIE PREMIERS

OUR CUSTOM CAKES ARE FAMOUS FOR  
 THEIR BEAUTY AND QUALITY!

WE MAKE CUSTOMIZED CAKES FOR ANY  
 OCCASION FROM OUR LAYER CAKES.  
 WE RECOMMEND TO MAKE AN  
 APPOINTMENT AT EITHER LOCATION.

SEE OUR MOST POPULAR DESIGNS AT  
[WWW.SWEETLADYJANE.COM](http://WWW.SWEETLADYJANE.COM)

## Cupcakes

MINI- \$2.50 • LARGE- \$4.25-\$4.50  
 FANCY LETTER - \$5

## Flavored

CARROT • COCONUT • RED VELVET  
 SMORES • PEANUT BUTTER  
 MOCHA • PEPPERMINT • MAPLE

## Floral Design

CHOCOLATE W/ VANILLA  
 VANILLA W/ CHOCOLATE

## Pies

SLICE- \$7.50 • 10" PAN - \$52\* (\$42)  
 \*PRICE INCLUDES \$10.00 REFUNDABLE DEPOSIT

APPLE • BLUEBERRY • CHERRY  
 BOYSENBERRY • PEACH-BOYSENBERRY\*  
 PEACH\* • PECAN • PUMPKIN\*  
 MIXED BERRY • STRAWBERRY-RHUBARB\*  
 \*SEASONAL

## Tarts

SLICE - \$7.50 • 4" - \$7.50 • 10.5" - \$46

APPLE BRANDY  
 APRICOT ALMOND  
 BANANAS & CREAM  
 CHOCOLATE CARAMEL WALNUT  
 CHOCOLATE PECAN  
 CHOCOLATE RASPBERRY  
 COCONUT CREAM  
 GERMAN CHOCOLATE  
 KEY LIME  
 PEAR & ALMOND  
 PUMPKIN  
 RASPBERRY MARZIPAN

LEMON MERINGUE  
 (ONLY AVAILABLE IN INDIVIDUAL 4")

FRUIT TART W/ PASTRY CREAM  
 4" - \$8 • 10.5" - \$52 • 12" - \$65

## Cake Servings Guide

SIZE/SHAPE	SERVINGS
6" ROUND	6-8
9" ROUND	12-16
10" ROUND	18-25
12" ROUND	25-40
14" ROUND	40-50
1/4 SHEET	25-40
1/3 SHEET	40-50
1/2 SHEET	50-70
3/4 SHEET	70-100
FULL SHEET	100-150



# **Attachment No. ZA 5**

Project Plans



# SWEET LADY JANE BAKERY & CAFE

ARCHITECT

**OonaghRyanArchitect**

701 Rome Drive, Los Angeles, CA 90065

t | 323.908.0700  
e | oryan@oonaghryan.com  
w | www.oonaghryan.com

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## SHEET INDEX 03

**PROJECT DESCRIPTION:** ONE STORY ON-SITE BAKERY WITH RETAIL AND CAFE USES

**PROJECT ADDRESS:** 3732 EAST COAST HIGHWAY CORONA DEL MAR, NEWPORT BEACH, CA 92625

**ASSESSOR'S PARCEL NUMBER:** 459-221-19

**PROJECT OCCUPANCY:** M

**# OCCUPANTS:** 35

**NUMBER OF SEATS:** 25

**NUMBER OF EMPLOYEES:** TWO SHIFTS OF 8-14

**CONSTRUCTION TYPE:** TYPE V-B

**SITE AREA:** 4,874.89 SF

**PROJECT AREA:** 1,767 GSF

**PARKING:** REQUIRED: 1:50 SF NET PUBLIC AREA = 6.64 SPACES  
PROVIDED: NONE, (E) USE EXEMPT FROM PARKING  
(N) USE HAS NO NET INCREASE IN REQ'D PARKING

DRAWING ISSUE

01	CONDITIONAL USE PERMIT	09.14.12

OWNER / CLIENT

**SLJ BAKERIES LLC**  
1631 MONTANA AVE  
SANTA MONICA, CA 90403

## SWEET LADY JANE BAKERY & CAFE

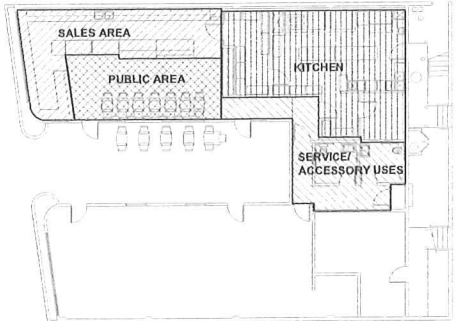
3732 EAST COAST HIGHWAY  
CORONA DEL MAR  
NEWPORT BEACH  
CA 92625

PROJECT NO. 12-19

## PROJECT INFORMATION & SITE PLAN

SHEET NO. **A0.00**

ISSUE DATE  
MINOR USE PERMIT 10.04.12  
SET



BUILDING AREA:	PUBLIC AREA	280 SF
	SALES AREA	470 SF
KITCHEN	670 SF	
	SERVICE/ACCESSORY USES NOTE: ACCESSORY USES EQUALLY SHARED W/ ADJACENT TENANT	347 SF
TOTAL INTERIOR AREA		1,767 SF
OCCUPANT LOAD:	PUBLIC AREA	280 SF/15 = 19
	SALES AREA	470 SF/60 = 8
KITCHEN	670 SF/200 = 4	
	SERVICE/ACCESSORY USES	347 SF/200 = 2
TOTAL OCCUPANTS		33

## AREA CALCULATIONS 04

**BUILDING OWNER:** NATIONWIDE CONSULTING, INC.  
3 SERENITY  
NEWPORT COAST, CA 92657  
BRYAN SIEGEL  
vicenzaco@earthlink.net

**TEHANT:** SLJ BAKERIES LLC  
1631 MONTANA AVE  
SANTA MONICA, CA 90403  
DANIEL MAFRICE  
(310) 295-4388 EXT1  
daniel@sweetladyjane.com

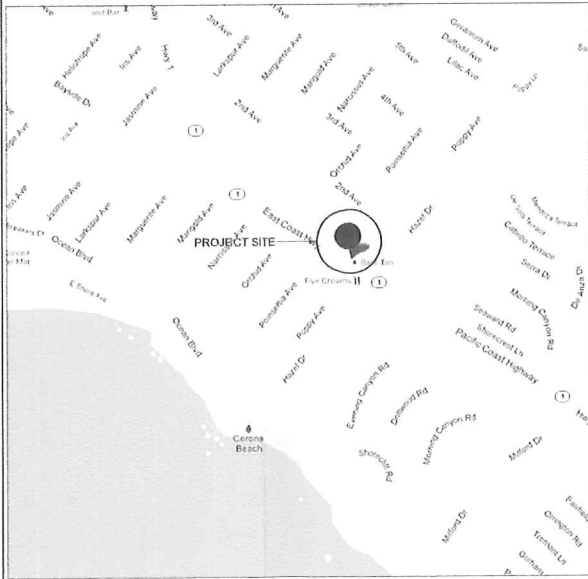
**ARCHITECT:** OONAGH RYAN ARCHITECT  
701 ROME DRIVE  
LOS ANGELES, CA 90065  
JOE ALGUIRE  
(323) 908 0700  
jalgui@oonaghryan.com

**PERMIT EXPEDITOR:** LAIDLAW SCHULTZ ARCHITECTS  
13111 SECOND AVENUE,  
CORONA DEL MAR, CA 92625  
SCOTT LAIDLAW/  
(949) 645 9982  
slaidlaw@laidlawarchitects.com

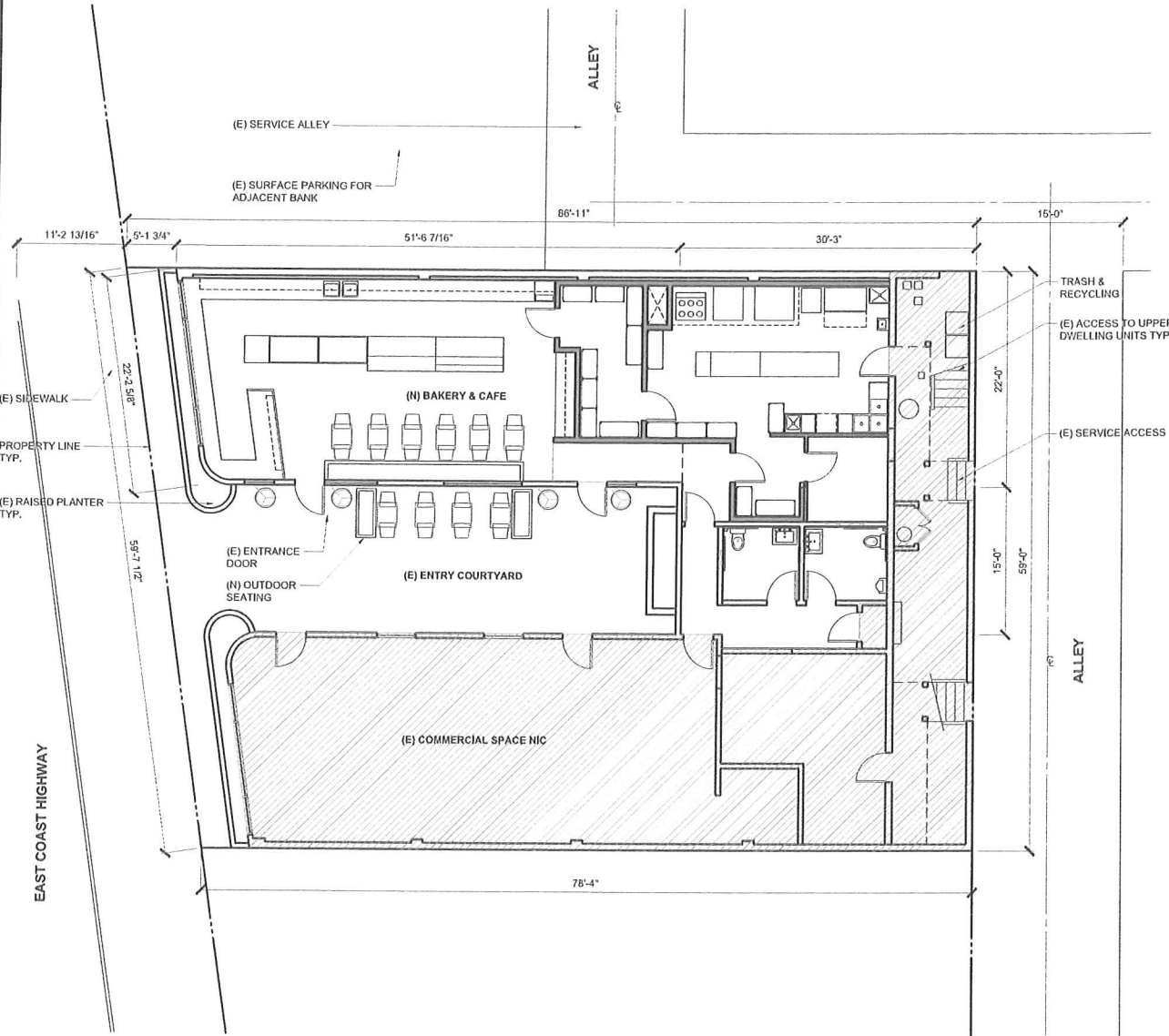
**CONTRACTOR:** ANDERSON BUILDERS  
14451 VENTURA BLVD, #282  
SHERMAN OAKS, CA 91423  
DAVID ANDERSON  
(818) 360-5222  
david@andersonbuilders.net

## PROJECT CONTACTS 03

## PROJECT INFORMATION 02

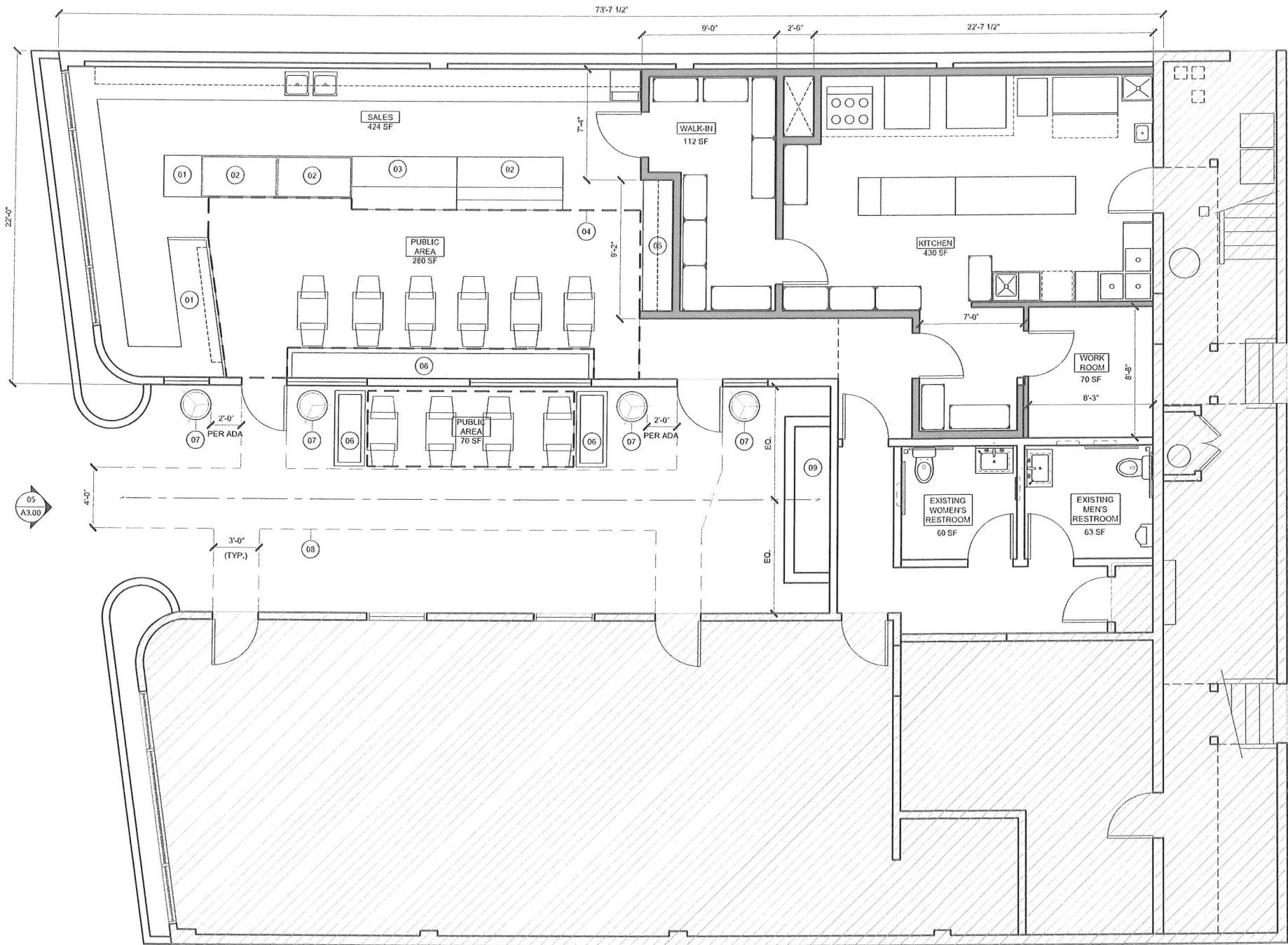


## PROJECT LOCATION 01



PA2012-138 for UP2012-024  
3732 East Coast Highway  
SLJ Bakeries LLC

SITE PLAN 0 2' 4' 8' 1/8" SCALE 05



FLOOR PLAN

0 1' 2' 4'

1/4" SCALE

05

NOTES 04

PLAN KEY NOTES 01

- NO WORK IN THIS AREA
- EXISTING 2X STUD WALLS
- (N) 2X STUD WALLS, SEE FLOOR PLAN FOR STUD SIZE
- 5' DIA. ADA TURNING CIRCLE
- ADA REQUIRED CLEAR SPACE
- EXIT SIGN

SEE 05/A0.00 FOR GRAPHIC SYMBOLS LEGEND

PLAN LEGEND 03

DRAWING ISSUE		
01	CONDITIONAL USE PERMIT	09.14.12

OWNER / CLIENT



SLJ BAKERIES LLC  
1631 MONTANA AVE  
SANTA MONICA,  
CA 90403

PROJECT  
SWEET LADY JANE  
BAKERY & CAFE

3732 EAST COAST HIGHWAY  
CORONA DEL MAR  
NEWPORT BEACH  
CA 92625

PROJECT NO. 12-19

DRAWING TITLE  
FLOOR PLAN

SHEET NO.  
A2.00

ISSUE DATE  
MINOR USE PERMIT 10.04.12  
SET

ARCHITECT  
OonaghRyanArchitect

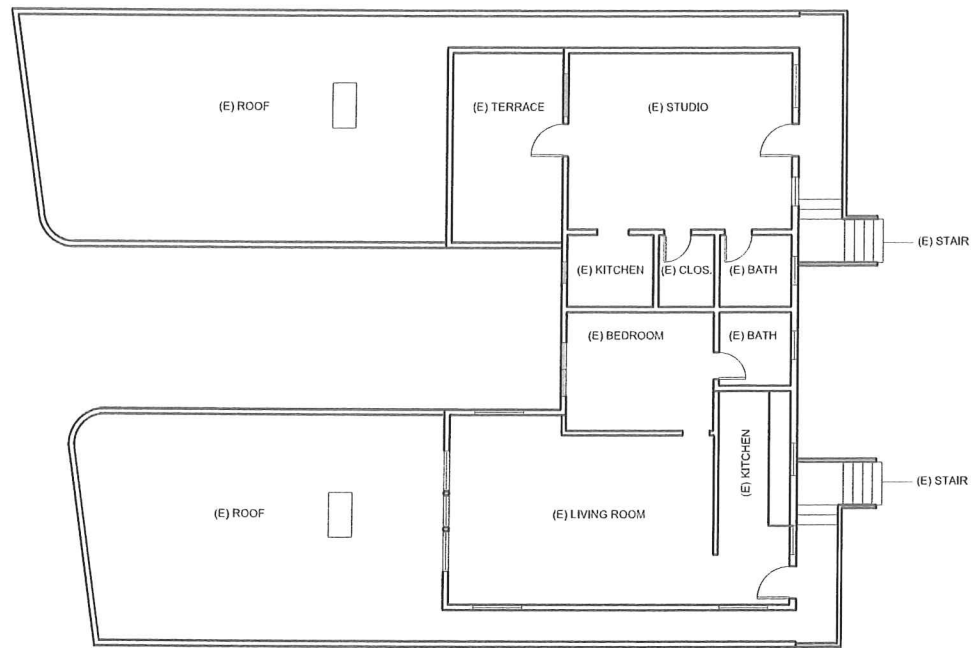
701 Rome Drive, Los Angeles, CA 90065

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e | oryan@oonaghryan.com  
w | www.oonaghryan.com

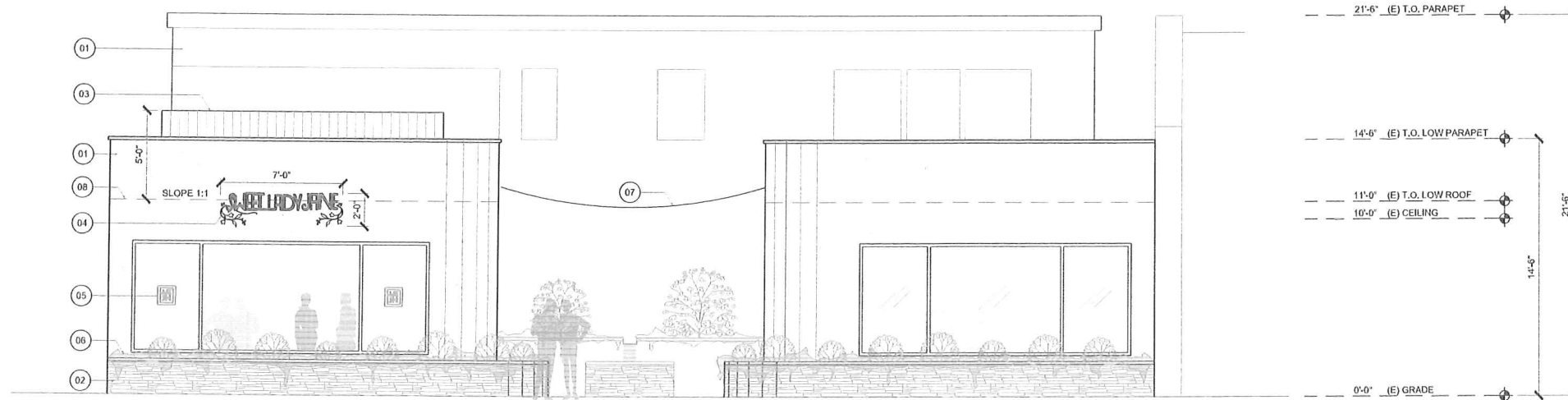
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(E) SECOND FLOOR PLAN 0 2' 4' 8' 1/8" SCALE 04



WEST ELEVATION 0 1' 2' 4' 1/4" SCALE 03

- 01 PLASTER WITH SMOOTH FINISH
- 02 STACKED STONE
- 03 DECORATIVE WOOD SCREEN FOR ROOF EQUIPMENT
- 04 BUILDING SIGN: RAISED METAL LETTERS WITH BACK LIGHT
- 05 WINDOW SIGN: PAINTED ON GLASS
- 06 DECORATIVE PLANTING
- 07 CANOPY
- 08 LINE OF ROOF BEYOND

KEY NOTES 02

GENERAL NOTES 01

ARCHITECT

**OonaghRyan**Architect

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DRAWING ISSUE

01	CONDITIONAL USE PERMIT	09.14.12

OWNER / CLIENT

 SLJ BAKERIES LLC  
1631 MONTANA AVE  
SANTA MONICA,  
CA 90403

PROJECT

**SWEET LADY JANE  
BAKERY & CAFE**

3732 EAST COAST HIGHWAY  
CORONA DEL MAR  
NEWPORT BEACH  
CA 92625

PROJECT NO. 12-19

DRAWING TITLE

**ELEVATION/  
SECOND FLOOR PLAN**

SHEET NO.

**A3.00**

ISSUE	DATE
MINOR USE PERMIT	10.04.12
SET	

ADDITIONAL  
MATERIALS  
RECEIVED

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**To:** Zoning Administrator Hearing  
**Subject:** Additional Materials Received

Item No. 3a: Additional Materials Received  
Zoning Administrator Hearing—November 28, 2012  
Sweet Baby Jane Bakery MUP (PA2012-138)

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**From:** Patricia Ganz [<mailto:patricia.ganz@inetmail.att.net>]  
**Sent:** Wednesday, November 28, 2012 10:24 AM  
**To:** Wisneski, Brenda  
**Subject:** New bakery - Sweet Baby Jane

Brenda Wisneski, Zoning Administrator -

Thank you for taking the time to consider our comments regarding the above matter. We have been in a service oriented business, here in CdM (at the same location) for 30 years and have witnessed many changes and tremendous growth - a few missed opportunities and many successful endeavors. I would like to comment on the Sweet Baby Jane application. We are greatly concerned about the intensification of the use of this building, a building that provides no parking whatsoever. In addition to the parking demand of the proposed bakery, there are residential units in the back that have no parking, plus the other half of the retail building, which is not yet permanently occupied, will also need parking. It is clear that a bakery with indoor and outdoor seating intensifies the use of this building much more than a non-food serving commercial / retail use. The bakery will have cooks and service personnel in addition to customers. The employees will, of necessity, park on the street and leave their cars there for the duration of their work shifts, impacting parking in the area much more than non-food serving commercial retail uses who employ fewer people and cater to fewer customers. We have seen the parking on the residential streets adjacent to Coast Highway become extremely congested, as well as any other business parking lots that support the adjacent commercial buildings. People will park wherever they can find a spot, whether it is partially blocking a driveway or parking in a lot that is supporting retail or service businesses for a specific building. A food serving use with outdoor dining is simply an intensification of the use in this building, as well as the surrounding residences and businesses which should be grounds for disapproval.

Thank you for your consideration.

BayWind Services  
3810 East Coast Highway, Ste. 4  
Corona del Mar, CA 92625

seem to require a Zoning Administrator approved modification to the permit for  
"Any change in operational characteristics."

### ***Item No. 3. Sweet Lady Jane Bakery Minor Use Permit***

#### **In the staff report:**

- Under "**Recommendation 2**" on page 1, there seems to be an extraneous "No." after "UP2012-024" – or else something is missing.
- In the third bullet point on page 2 (handwritten page 3), the interpretation of Zoning Code Section 20.38.060 (Nonconforming Parking), erroneously referred to as a "Chapter," seem debatable since the cited subsection (20.38.060.B) is prefaced by words saying it applies to "*nonresidential structures*," not to structures in a "*nonresidential zoning district*." According to the staff report this is, at least partially, a residential structure.
- With regard to the "APPEAL PERIOD" explanation on page 3 (handwritten page 4), the same comment applies as under Item 2, above.

#### **In the draft resolution:**

- In Section 1, "**Statement of Facts 5**" erroneously suggests a hearing was held before the "*Planning Commission*". I assume this was meant to say "*Zoning Administrator*"?
- In Section 3, in "**Facts in Support of Finding B.4**," *Chapter* 20.38.060 is, as noted above, actually *Section* 20.38.060.
- Even assuming Zoning Code Section 20.38.060 applies, I find questionable the implication of "**Facts in Support of Finding B.5**" that a parking calculation leads to a conclusion of "*no intensification*" of use, and that the change is therefore compliant with Section 20.38.060 ("**Facts in Support of Finding B.6**"). The Zoning Code defines "Intensity" as "*Relative measure of development impact as defined by physical and operational characteristics (e.g., number of dwelling units per acre, amount of parking required, amount of traffic generated, etc.)*," and although the official amount of parking may be the same, I would think that a successful and attractive bakery (especially one simultaneously seating 20 patrons) is likely to generate more traffic than a palm reader. The bakery use is also likely to have more need for deliveries than the palm reader use, which would seem a problem with no dedicated parking. Does the bakery itself intend to have vehicles for making home deliveries, and if so, where would they park?
- "**Facts in Support of Finding C.4**" contains a couple of grammatical typos:
  - "*located less than 500 feet ~~of~~ **from** a residential district*"
  - "*and is **at** a level below the alley*"
- "**Facts in Support of Finding D.2**" ("*Adequate public and emergency vehicle access, public services, and utilities are provided on-site and are accessed by way of the alley directly behind the site.*") seems confusing in view of the previous finding that the operation is at a level below the alley.
- Is there a typo in "**Condition of Approval 8**"? How does one "*incorporate into the Building Division*"?

- What does the requirement for 7 parking spaces in “**Condition of Approval 12**” mean? The staff report said the property is legally non-conforming with *no* parking, and that the no additional parking was required.
- “**Condition of Approval 35**” is incomplete. Presumably it is meant to say *the applicant* will reconstruct .... (and presumably at their expense?) .

#### ***Item No. 4. Capriotti's Sandwich Shop Minor Use Permit***

##### **In the staff report:**

- The statement on page 2 (handwritten page 3) that “*Although the requested hours of operation do not exceed 8:00 p.m., staff recommends allowing the establishment to operate between 7:00 a.m. and 11:00 p.m.*” seems odd. It is also unclear from the staff report why a Minor Use Permit and Zoning Administrator hearing is required. My understanding was non-alcohol serving food service establishments generally require this only if they are located within 500 feet of residential use, which is not the case here. Is it because of staff's wish to extend the hours beyond those requested by the applicant, or because of the PC-11 text, or something else?
- With regard to the “APPEAL PERIOD” explanation on page 3 (handwritten page 4), the same comment applies as under Item 2, above.
- Under “**Recommendation 2**” on page 1, there seems to be an extraneous “No.” after “UP2012-024” – or else something is missing.

##### **In the draft resolution:**

- In Section 1, “**Statement of Facts 5**” erroneously suggests a hearing was held before the “*Planning Commission*”. I assume this was meant to say “*Zoning Administrator*”?
- In Section 2, the CEQA finding that there going from a vacant building to an occupied building is not an expansion of use seems debatable.
- In Section 4, “Decision 1” says “The *Planning Commission* of the City of Newport Beach hereby approves...” I assume this was meant to say “*Zoning Administrator*”?
- “**Condition of Approval 12**” (“The hours of operation for food service, eating and drinking establishment are limited from 7:00 a.m. to 11:00 p.m., daily.”) is unsupported by anything I can discover in the preceding findings or explanation of how the action is consistent with the required findings. “**Facts in Support of Finding C.1**” refers instead to consistency based on “*the requested hours of operation*” of “*10:00 a.m. to 8:00 p.m., Monday through Saturday and 11:00 a.m. to 7:00 p.m. on Sunday.*”